

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CITY OF LAWRENCEBURG, KENTUCKY

COMPLAINANT

v.

SOUTH ANDERSON WATER DISTRICT

RESPONDENT

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) CASE NO. 96-256
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O R D E R

On June 4, 1996, the City of Lawrenceburg, Kentucky, ("Lawrenceburg") filed a complaint against South Anderson Water District ("South Anderson") concerning South Anderson's intent to relocate two of the existing water meters through which it receives water from Lawrenceburg. South Anderson was directed by Order to Satisfy or Answer the Complaint. South Anderson answered on June 28, 1996. While data requests were issued by the Commission on August 14, 1996, continued settlement negotiations between the Complainant and the Defendant resulted in the matter being held in abeyance. Following a long period of unsuccessful negotiations, an informal conference was held at the Commission's offices on July 21, 1997. Matters discussed at the informal conference made it clear that the Commission needed to proceed with this matter. A procedural schedule was therefore established and the Commission issued an information request on September 11, 1997. On October 6, 1997, South Anderson filed a "Motion to Dismiss as Moot and Motion to Suspend Procedural Schedule."

In its Motion, South Anderson informed the Commission that it has filed a Complaint against Lawrenceburg in the United States District Court for the Eastern District of Kentucky. It is South Anderson's position that the broad issues raised in the federal court lawsuit will also resolve the issues now before the Commission. In the meantime, South Anderson indicates that it will not follow through on the actions which precipitated the filing of this complaint by Lawrenceburg. Furthermore, South Anderson assures the Commission that it will not take any action that will affect or change the service being provided by Lawrenceburg to the residents of Indian Hills subdivision. Pending the Commission's ruling on the Motion to Dismiss, South Anderson requests an Order suspending the procedural schedule.

IT IS THEREFORE ORDERED that:

1. South Anderson's Motion to Suspend the Procedural Schedule is granted pending the Commission's ruling on South Anderson's Motion to Dismiss.
2. All parties shall have 10 days from the date of this Order in which to respond to South Anderson's Motion to Dismiss as Moot and Motion to Suspend Procedural Schedule, after which time the Commission will rule on the Motion to Dismiss and take whatever other action it deems appropriate at that time.

Done at Frankfort, Kentucky, this 14th day of October, 1997.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director